

EXHIBIT M

(Second Koppelman
Declaration)

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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

DS ADVANCED ENTERPRISES, LTD.,
A CORPORATION

Plaintiff,
v.

COOPER LIGHTING, LLC,
LOWE'S HOME CENTERS, LLC,
HOME DEPOT USA, INC,

Defendants.

Case No. 5:23-cv-02603

**DECLARATION OF RYAN W.
KOPPELMAN IN SUPPORT OF
DEFENDANTS' REPLY IN SUPPORT
OF MOTION TO DISMISS**

1 I, Ryan Koppelman, declare as follows:

2 1. I am an attorney duly licensed to practice law before all courts of the State
3 of California and a Partner with the law firm of Alston and Bird LLP, attorneys of record
4 for Cooper Lighting, LLC, Lowe's Home Centers, LLC and Home Depot USA, Inc. I
5 have personal knowledge of the facts stated in this Declaration, and, if called to testify,
6 could and would testify competently under oath to these facts.

7 2. Attached hereto as **Exhibit 1** is a true and correct copy of Provisional
8 Application 62/673,595.

9
10 Executed on this 29th day of May 2024 in Los Angeles, California.

11 /s/ Ryan W. Koppelman

12 Ryan W. Koppelman
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EXHIBIT 1

PTO/SB/16 (02-18)

Approved for use through 11/30/2020. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<div>Provisional Application for Patent Cover Sheet</div> <div>This is a request for filing a PROVISIONAL APPLICATION FOR PATENT under 37 CFR 1.53(c)</div>					
Inventor(s)					
Inventor 1					<div>Remove</div>
Given Name	Middle Name	Family Name	City	State	Country ;
David		Sherman	Boca Raton	FL	US
All Inventors Must Be Listed – Additional Inventor Information blocks may be generated within this form by selecting the Add button.					<div>Add</div>
Title of Invention		A means to attach an LED light fixture on the ceiling directly or into an existing recessed housing.			
Attorney Docket Number (if applicable)		526587105			
Correspondence Address					
Direct all correspondence to (select one):					
<input type="radio"/> The address corresponding to Customer Number			<input checked="" type="radio"/> Firm or Individual Name		
Firm or Individual Name 1			David Sherman		
Firm or Individual Name 2					
Mailing Address of Applicant:					
Address 1	6294 NW23RD Road				
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City	Boca Raton	State/Province	FL		
Postal Code	33434	Country ;	US		
Phone	416.9315228				
The invention was made by an agency of the United States Government or under a contract with an agency of the United States Government.					
<div><input checked="" type="radio"/> No.</div>					
Yes, the invention was made by an agency of the United States Government. The U.S. Government agency name is:					
Yes, the invention was under a contract with an agency of the United States Government. The name of the U.S. Government agency and Government contract number are:					

Entity Status
Applicant asserts small entity status under 37 CFR 1.27 or applicant certifies micro entity status under 37 CFR 1.29

<input checked="" type="radio"/> Applicant asserts small entity status under 37 CFR 1.27
<input type="radio"/> Applicant certifies micro entity status under 37 CFR 1.29. Applicant must attach form PTO/SB/15A or B or equivalent.
<input type="radio"/> No

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Signature

Please see 37 CFR 1.4(d) for the form of the signature.

Signature	David Sherman/			Date (YYYY-MM-DD)	2018-05-18
First Name	David	Last Name	Sherman	Registration Number (If appropriate)	

This collection of information is required by 37 CFR 1.51. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 8 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **This form can only be used when in conjunction with EFS-Web. If this form is mailed to the USPTO, it may cause delays in handling the provisional application.**

ABSTRACT

A means to attach a recessed light fixture to the ceiling directly or into a recessed housing is disclosed. By providing both retrofit and new construction applications it reduces the amount of inventory carried.

PROVISIONAL APPLICATION FOR PATENT

INVENTION TITLE

A means to attach an LED light fixture on the ceiling directly or into an existing recessed housing.

BACKGROUND OF THE INVENTION

Problem Solved: This invention solves the problem of consumers and/or electricians having to buy different LED recessed light fixtures for new construction installations and retrofit installations.

Currently different mounting clips are used either for retrofit or new construction applications.

By providing both retrofit and new construction applications the invention reduces the amount of inventory carried by lighting distributors.

DETAILED DESCRIPTION OF THE INVENTION

As stated above, this invention solves the problem of consumers and/or electricians having to buy different light fixtures for new construction installations and retrofit installations. The invention claimed here solves this problem.

The unique fixture configuration provides both a retrofit application and new construction application embodied in the same light fixture.

The claimed invention differs from what currently exists. The unique fixture configuration is different from other available products on the market as it embodies both retrofit and new construction applications. This allows lighting retailers and distributors to carry only one set of inventory, thus saving money and warehouse space.

This invention is an improvement on what currently exists. The unique fixture configuration is different from other available products on the market as it embodies both retrofit and new construction applications. This allows lighting retailers and distributors to carry only one set of inventory, thus saving money and warehouse space.

The other available products require distributors and retailers to carry two sets of inventory.

By providing both retrofit and new construction applications it reduces the amount of inventory carried.

The Version of The Invention Discussed Here Includes:

1. retrofit clips
2. new construction clips

3. connecting post
4. metal body
5. screw holes
6. complete fixture
7. socket adapter
8. junction box
9. twist connector

Relationship Between The Components:

1. Retrofit clips are attached to the fixture's body by screwing them into the provided holes (5).
2. New construction clips are attached to the connecting posts (3).
3. Connecting posts hold the new construction clips (2).
4. Metal body embodies the complete fixture (6).
5. Screw holes are used to attach the retrofit clips (1).
6. Complete fixture includes all electrical systems, clips, and accessories.
7. Socket adapter is used in conjunction with retrofit installation and replaces the light bulb in existing recessed fixture, and completes the electrical circuit
8. Junction box is used to hold connected wiring.
9. Twist connector is used to attach the junction box (8) output wire to the complete fixture (6).

How The Invention Works:

- a. The new construction clips (2) are attached to connecting posts (3).
- b. Retrofit clips (1) make a friction fit inside an existing recessed lighting fixture housing thereby securing complete fixture (6) inside.
- c. In the absence of an existing recessed housing new construction clips (2) squeeze the ceiling material between the new construction clips (2) and extremity of complete fixture (6).

How To Make The Invention:

The invention would be made by die casting a metal body (4). That is the base of the complete fixture containing two connecting posts (3), to attach new construction clips (2) and three screw holes (5), at

120 degrees, to accept the retrofit clip (1). A junction box (8), would be made from sheet metal, or stamped steel, configured into hexagonal, or round shape, including a number of side holes to be used for wiring. An LED driver would be installed inside the junction box (8).

All of the elements must be used together in order for the invention to work properly.

The components can be reconfigured to attach to the connecting posts (3), or to a different connecting method.

How To Use The Invention:

Consumers and/or electricians (user) would buy complete fixture (6). User will decide whether the installation is retrofit or new construction and then choose the appropriate attachment method.

Retrofit installation: Remove the light bulb and trim from the existing recessed fixture, exposing the recessed housing. Remove the two new construction clips (2) from the complete fixture (6) and attach the three retrofit clips (1) by screwing them with provided screws to the die cast base (4) in the holes provided (5). Attach a provided socket adapter (7) by connecting the two free wires to two free wires in the junction box (8). Screw socket adapter (7) into the existing socket, place junction box (8) on top of metal body (4). Push the complete fixture (6) and junction box (8) fully into the existing recessed housing.

New construction installation: Cut hole in ceiling, of appropriate size to accommodate metal body (4), where the complete fixture (6) is to be located. Pull wires from building's electrical system and attach to free wires in junction box (8). Attach junction box to fixture using twist connector (9). Push retrofit clips (2) perpendicular to the ceiling and push through ceiling hole. Allow the clips to squeeze the ceiling between the clips (2) and metal body (4).

ORDER CONFIRMATION: 52881038
DAVID SHERMAN, INVENTOR

